

AMENDED IN ASSEMBLY APRIL 16, 1998

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CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 2321

Introduced by Assembly Member Knox

February 19, 1998

An act to add Sections 3068, 3069, and 3070 to the Penal Code, relating to paroles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2321, as amended, Knox. Reducing Crime Through Preventing Parolee Failure Program.

Existing law authorizes the Department of Corrections to establish and maintain classes for inmates that provide academic education and industrial education, and trade and vocational training. The department is also authorized to develop and operate work programs to enable inmates to acquire and improve work habits and occupational skills, to assist inmates who have been paroled or discharged in securing employment, to establish a medical facility to provide care and treatment for male inmates who are addicted to controlled substances, and to establish community correctional centers to provide care and treatment for inmates who are addicted to drugs or alcohol.

This bill would require the Department of Corrections to operate the Reducing Crime Through Preventing Parolee Failure Program, including residential and nonresidential

multiservice centers, literacy labs, drug treatment networks, and job placement assistance for parolees. The bill would also authorize the parole authority to assign a conditionally released or paroled prisoner to the Reducing Crime Through Preventing Parolee Failure Program in lieu of the suspension or revocation of parole. The bill would require the Department of Corrections, in consultation with the Legislative Analyst's office, to contract with an independent consultant to conduct an evaluation regarding the impact of an expansion of the Reducing Crime Through Preventing Parolee Failure Program to additional parole units on public safety, parolee recidivism, and prison and parole costs, and report the results to the Legislature on or before January 1, 2004.

The bill also would require any parolee who is returned to prison for either a revocation or a new conviction to be given priority for drug treatment if the parolee is a substance abuser, unless he or she is a high-risk parolee or has been convicted of a serious or violent felony or the unlawful use of any weapon. The bill would require the parolee to be entered into a treatment program as a condition of release. The bill would require the Department of Corrections to develop and report to the Legislature by January 1, 2000, a plan that would ensure by January 1, 2005, that all prisoners and parolees who are substance abusers receive appropriate treatment.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~yes~~-no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares that
- 2 there is a critical need to address all of the following:
- 3 (a) The current high recidivism rate of parolees
- 4 released from the Department of Corrections.
- 5 (b) The high cost and operational difficulties for the
- 6 criminal justice system and the prison system, and the
- 7 cost to victims of crime as a result of recidivism.
- 8 (c) The already severe overcrowding in the prison
- 9 system and the projections by the Department of
- 10 Corrections that the state will run out of space for inmates



1 early in the year 2000, and is short by more than 70,000 the
2 number of beds needed over the next 10 years.

3 (d) The decision, taken by the Department of
4 Corrections on its own initiative, to begin the pilot
5 program known as Preventing Parolee Failure (PPF) to
6 provide residential and nonresidential multiservice
7 centers, literacy labs, drug treatment networks, and job
8 placement assistance for parolees.

9 (e) The conclusion by the Department of Corrections,
10 in the May 1, 1997, report to the Legislature, that the PPF
11 program results in net state savings of seventy-four
12 million dollars (\$74,000,000) and 11,000 prison beds over
13 a five-year period.

14 (f) The conclusion by the Legislative Analyst's office
15 that expansion of the PPF program would result in two
16 dollars (\$2.00) to three dollars (\$3.00) in savings for every
17 additional one dollar (\$1.00) invested by the state.

18 (g) The fact that some geographic areas of the state
19 are now lacking PPF services provided successfully in
20 other geographic areas of California.

21 SEC. 2. Section 3068 is added to the Penal Code, to
22 read:

23 3068. (a) The Department of Corrections shall
24 operate the Reducing Crime Through Preventing
25 Parolee Failure Program with various components,
26 including, at a minimum, residential and nonresidential
27 multiservice centers, literacy labs, drug treatment
28 networks, and job placement assistance for parolees.

29 (b) The Department of Corrections shall,
30 commencing in the 1998–99 fiscal year, initiate an
31 expansion of the program to parole units now lacking
32 some or all of the elements of the program, where doing
33 so would be cost-effective, as determined by the Director
34 of Corrections, to the extent that funding for the
35 expansion is provided in the 1998–99 Budget Act and
36 subsequent state budget acts.

37 (c) The Department of Corrections and the
38 Department of Finance, in preparing any request for
39 funding for the 1999–2000 fiscal year in regard to parole
40 population caseload increases, and for each fiscal year

1 thereafter, shall include in the standard costing formulas
2 a factor providing the additional Reducing Crime
3 Through Preventing Parolee Failure Program funding
4 necessary to provide services for the additional caseload
5 of parolees to be supervised by the Department of
6 Corrections. The Department of Corrections may at any
7 time seek additional funds for expansion of the program,
8 as the Director of Corrections and the Director of
9 Finance in their discretion deem necessary.

10 (d) In addition to the assignment by the Department
11 of Corrections of persons who have violated *or are at risk*
12 *of violating* their conditions of parole to the Reducing
13 Crime Through Preventing Parolee Failure Program or
14 other programs providing services to parolees, the parole
15 authority may assign a conditionally released or paroled
16 prisoner to the Reducing Crime Through Preventing
17 Parolee Failure Program or other programs providing
18 services to parolees in lieu of the suspension or revocation
19 of parole. The parole authority shall not assign a
20 conditionally released or paroled prisoner to the
21 Reducing Crime Through Preventing Parolee Failure
22 Program or other programs if the person is classified as a
23 high-risk parolee, was incarcerated for a serious or violent
24 felony for which he or she was paroled, or has been
25 convicted of the unlawful use of any weapon.

26 (e) (1) The Department of Corrections, in
27 consultation with the Legislative Analyst's office, shall
28 contract with an independent consultant to conduct an
29 evaluation regarding the impact of an expansion of the
30 Reducing Crime Through Preventing Parolee Failure
31 Program to additional parole units on public safety,
32 parolee recidivism, and prison and parole costs, and
33 report the results to the Legislature on or before January
34 1, 2004.

35 (2) The Department of Corrections shall sample
36 several parole units in which the program has been added
37 to examine the program's impact upon the supervision,
38 control, and sanction of parolees under the jurisdiction of
39 the sampled parole units. These results shall be compared
40 with a control group of comparable parole populations

1 that do not have Reducing Crime Through Preventing
2 Parolee Failure Program services.

3 (3) The report, whether in final or draft form, and all
4 working papers and data, shall be available for immediate
5 review upon request by the Legislative Analyst.

6 (4) The department shall submit a multi-year
7 evaluation plan for the program to the Legislature six
8 months after the effective date of the act adding this
9 section to the Penal Code.

10 (f) It is the intent of the Legislature that funding for
11 the evaluation required by subdivision (e), as well as the
12 program expansion, be provided, upon appropriation by
13 the Legislature, through the annual Budget Act.

14 SEC. 3. Section 3069 is added to the Penal Code, to
15 read:

16 3069. Any parolee who is returned to prison for either
17 a revocation or a new conviction shall be given priority
18 for *in-prison* drug treatment *programs* if the parolee is a
19 substance abuser *and has less than one year of his or her*
20 *sentence remaining to serve*, unless he or she is a high-risk
21 parolee or has been convicted of a serious or violent
22 felony or the unlawful use of any weapon. ~~As~~ *Further, as*
23 *a condition of release, the parolee on parole, the offender*
24 *shall be entered into a treatment program.*

25 SEC. 4. Section 3070 is added to the Penal Code, to
26 read:

27 3070. The Department of Corrections shall develop
28 and report to the Legislature by January 1, 2000, a plan
29 that would ensure by January 1, 2005, that all prisoners
30 and parolees who are substance abusers receive
31 appropriate treatment, *including therapeutic*
32 *community and academic programs*. The plan shall
33 include a range of options, estimated capital outlay and
34 operating costs for the various options, and a
35 recommended prioritization for phased implementation
36 of the plan.

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